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September 27, 2024

By ECF

Hon. Philip M. Halpern
United States District Judge
The Hon. Charles L. Brieant Jr. Federal Building and United States Courthouse
300 Quarropas St.
White Plains, NY 10601-4150

Re: *S.E.C. v. Concord Management LLC and Michael Matlin*, No. 23-CV-8253
(S.D.N.Y.) (PMH)

Dear Judge Halpern,

We represent Defendants Concord Management LLC and Michael Matlin in the above-captioned action. Pursuant to the Court's September 9, 2024 Order (Dkt. 39), we write jointly with Plaintiff Securities and Exchange Commission to advise the Court on the status of the parties' settlement negotiations. On September 23, 2024, the parties participated in a settlement conference before Judge Krause. Although the parties did not reach a settlement, the parties have continued to engage in settlement discussions since the conference and believe that the conference was productive. During the conference, the parties agreed to (i) have a follow-up meet-and-confer discussion on September 26, 2024 (which has since occurred and during which the parties agreed to continue their discussions), (ii) update Judge Krause on the status of their negotiations by October 15, 2024, and (iii) schedule another settlement conference before Judge Krause on October 21, 2024. Based on their discussions to date, the parties jointly believe that devoting additional time and resources to working towards a potential resolution of this matter would be productive and appropriate. The parties will plan to update the Court regarding the status of these discussions on October 23, 2024 (two days after the October 21, 2024 settlement conference before Judge Krause) or on another date if preferable to the Court.

Respectfully submitted,

Benjamin S. Fischer
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cc: All counsel of record (by ECF)